



Records Management Basic Principles For Maine State Employees

Welcome to Records Management!

Key Topics Covered:



Introduction to Records Management



An Overview of the Records Management Process



Where to Go for Help



Email Management in Brief

Steps to Complete Training

Completing the training is as simple as **1,2,3:**

1. Go through the training at your own pace making sure that you understand all the Records Management concepts. There is no need to rush through the content.
2. When you complete the last section there will be a link to a form on the last page. There you will find some “review” questions to answer.
3. Submit your name, department and division to verify completion of training. (Training should take approximately 30 minutes.)

Introduction to Records Management

Common Records Management Terms



Record

Schedules

Inventory

Records Officer

Retention

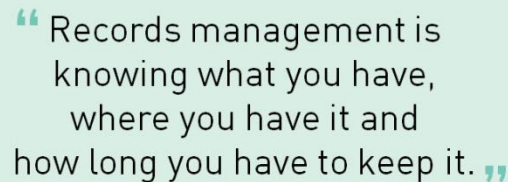
Disposition

Archival

By the end of the training, you will be familiar with these terms!

What is Records Management

Records management is controlling records throughout their life cycle. This begins with the creation or receipt of a record and continues through maintenance, use, and disposition. Records management is the process by which an agency captures and maintains evidence of and information about its programs, transactions, policies and procedures in the form of records.



“Records management is knowing what you have, where you have it and how long you have to keep it.”

Maine State Archives Records Management Program

Our program exists because it is written in Maine statute.

According to Title 5, Chapter 6, every state agency must establish and maintain an active, continuing records management program.



This statute is based on an International (ISO) Standard for Records Management. *ISO 15489 is the international records management standard that provides guidance for all types of organizations on the design and implementation of a records management program, including record retention schedules.*

Is Managing Records YOUR Responsibility?



All state employees are responsible for creating records needed to do the business of their agency, and documenting activities for which they are responsible. As a government employee, you are responsible for managing any and all public records (including email) for which you are the custodian.

There is sometimes a false belief that we have personal ownership over our computers, our files, and our email correspondence. Typically, these belong to State Government, which, under the law, is an open access government. The records you have on your computer could be subject to a public information request. Be diligent in your recordkeeping practices.

Benefits of a Records Management Program

- ✓ **Supports Better Management Decision Making** – In today's environment, the manager who has access to the relevant data makes a better, more informed decision, promoting a positive reputation for state agencies.
- ✓ **Improves Efficiency and Productivity** – An applied RM program reduces the volume of records stored and improves storage and retrieval systems helping to get the right record to the right person effectively and efficiently; including complying with Freedom of Access Act requests..
- ✓ **Identifies and Protects Vital Information** – Every organization, public or private, needs a comprehensive program for protecting its essential records and information from disaster.
- ✓ **Minimizes Litigation Risks** – A consistently applied records management program can reduce the liabilities associated with document retention and disposal of records. It can limit the risks associated with litigation and potential penalties.
- ✓ **Ensures Regulatory Compliance** – In terms of record keeping, the United States is the most regulated country in the world. These laws cause compliance issues as they are often hard to interpret and apply. A good system will help keep your organization in regulatory compliance.

Maine State Government Needs **All Staff** to Be a Part of Records Management

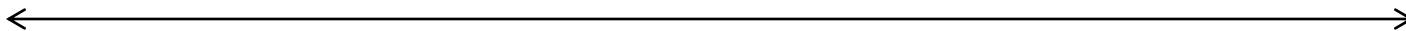
For the reasons covered, it's time that each one of us learns more about records management and how to do our part.

Maine State agencies produce records every day. They are the vital component to the functionality of the agency for administrative, fiscal, legal and historical purposes.

Improperly destroying records is not the answer to records management and neither is keeping everything. There are implications for both.

Implications of Improper Record Keeping

- Presumption that records are correct and complete
- Waste of resources/money to store unnecessary records
- Inability to locate information when needed
- Destruction of records before they have met fiscal or legal requirements or possible destruction of archival records
- Having to produce records in Discovery proceedings that otherwise should have been destroyed



Archives/Records Management – What We Do

- Provide standards, procedures and techniques for effective management of records
- Help establish retention schedules
- Provide training
- Provide assistance in the transfer and retrieval of records

State Agency Responsibility

- Appoint an Agency Records Officer
- Implement records management program/policy
- Inventory agency records and have updated schedules
- Appoint Assistant Records Officer(s) as needed
- Train employees

Why You Should Care About Records Management

Whether we realize it or not, we are all an integral part of the agency and how it conducts its business. If YOU are mismanaging records you could be in danger of harming the integrity and reputation of the agency, not to mention any legal ramifications the mismanagement of records can pose.



Questions to Consider

- What records are in your filing cabinets or stored on your computer?
- How long have you had them?
- Do you know why you are keeping them?



The Records Management Process



Have the Right People in Place

Records Officers and Assistants

A Records Officer coordinates the Department's Records Management Program and ensures records management activities are performed in accordance with standards and procedures.



Identify Your Records – **Records Inventory**



An INVENTORY is a high level survey of all types of information created, received and stored by your agency.

An INVENTORY is perhaps the most important, often overlooked step in the records management process. **BUT...if you don't know what you have, how can records be evaluated and managed to determine what should stay and what should go.**

Further Information: National Archives Video: [Word of the Week – Inventory](#)

What is a Record?

Record means all documentary material in any format (paper, microfilm, digital records including email messages), made or received and maintained by an agency in accordance with law or rule, or in the transaction of its official business.

Specific Types of Records

- **Archival/Permanent Records** – Records required to be kept indefinitely because they have a high enduring or archival value.
- **Closed Records** – records which no longer have value - administrative, legal or fiscal - for the current business of the originating office or official, and would either be destroyed or stored/transferred for a specified period of time or as archival records (final disposition).
- **Confidential Records** – Confidential records are public records that are exempt from public inspection according to the provisions of state and/or federal statutes and/or regulations.
- **Current (Active) Records** – records needed and used in the day-to-day conduct of the current business of a state government office or official, and which therefore must be kept in the office for that purpose.
- **Non-Record** – additional copies of materials for which official or record copies have been retained; stocks of publications and processed documents intended for distribution or use; or records relating to personal matters that may have been kept in an office for convenience.
- **Retention/Non-Permanent Records** – records which will be destroyed once they have lived out/met their agreed to retention period. These can either be short term or long term retention records.
- **Vital Records** – Vital records are those records that are necessary to re-start an agency's operations in the event of a natural or human-made disaster. They support necessary services and preserve the legal, financial, and/or functional status of the agency.

If you answer “yes” to any of these questions, you may have a record:

Was it created in the course of business?

Examples: correspondence, agreements, studies

Was it received for action?

Examples: FOAA requests, hearing requests

Does it document agency activities and actions?

Examples: calendars, meeting minutes, project reports

Is it mandated by statute or regulation?

Examples: administrative records, dockets

Does it support financial obligations or legal claims?

Examples: grants, contracts, litigation case files

Does it communicate agency requirements?

Examples: guidance documents, policies, procedures





Are Drafts Considered Records?

Drafts or working documents are records but they might only need to be retained for a brief period of time if they do not have significant administrative, legal, fiscal or historical value.

Examples of drafts that might be immediately discarded following the creation of a new draft are those which contain only minor non-substantive changes such as correction of grammar and/or spelling or minor “word-smithing.”

Any decision regarding the disposition of a draft or working document should be made on a case-by-case basis in consultation with your Records Officer or clearly defined by agency policy.

For more information on DRAFTS see the [RM Advice Bulletin](#)

If you answer “yes” to any of these questions, you may have non-retention material (or “non-records”):

Is it reference material?

Example: vendor catalogs, phone books, technical journals

Is it a convenience copy?

Duplicate copies of correspondence or directives

Is it a stock copy?

Example: agency publications or forms

Is it only related to your personal affairs?

Example: personal schedules, personal messages (“Can we do lunch?”)



Note: Personal planners/calendars can be considered records if they document agency activities

For more information watch the NARA video on [Non-Records](#)

Things to Consider



- Not all business materials are records that require a retention time
- Part of a records management program is deciding what is and what is not a record
- Focus on material's content, not the format
- Most non-retention or “non-record” materials do not document government business or are duplicates
- Records must be managed throughout their life cycle, according to their retention schedules

1. How Do You Manage Your Records?

Start by asking yourself:

What types of records do you create?

Examples could include client files, project documents or administrative type records such as invoices or agency general correspondence.

It's important to consider the aspects of your job and the types of records you might be creating.



2. What is the Purpose of the Records?

Next Review:

Why are these records created and maintained?

There are a number of valid reasons for creating files such as statute, regulation, management reporting, and program administration.

There are also less valid reasons such as reference or personal convenience.

Concentrate your attention on the files that directly support the agency's mission.



3. Who is Responsible for the Records?

Then Think About:

Who is responsible for these records?



Generally there should only be one “custodian” for each type of record.

Where are these records located? Are they kept in more than one format?

This is where it’s very critical to have policies and schedules in place so all employees are following the same process and know what records they are responsible for, where records are located and how long records need to be retained.

Questions to Consider

- Do you know what records you are creating?
- What records are you retaining and why?
- Do you know if you are the “record custodian?”



Schedules and Records Retention



Managing Your Records

In order to have the information you need (when it's required), there has to be a way to identify, manage and retain records for the right amount of time.

Records are managed by creating agency **schedules** – a document that tells you how long to keep specific types of records and what should happen to them. Schedules provide the guidance necessary to prevent unneeded records from cluttering agency offices and help preserve records until they have served the business needs of the agency.

Why You Need Schedules

- Records retention schedules serve as an agency's signed agreement to retain and purge records and, therefore, hold great importance when it comes to things such as FOAA.
- Schedules capture all of the types of records created and used by the agency in the course of its business and indicate how long these records are required to be retained.
- Both development and implementation of retention schedules are important elements in establishing a "good faith" effort for ensuring proper records management practices by all employees.
- **Schedules make sure everyone in the agency is retaining records for the same amount of time!**



General Schedules

For ALL State Agencies

General Record Schedules are issued by the Maine State Archives to provide retention and disposition standards for records common to several or all State agencies. The purpose of the Records Management Division is to control the creation, utilization, filing, maintenance, storage and final disposition of State records. One way we help to do this is through the General Schedules.

The General Schedules are located on our website:

[General Schedules](#)

Most of the General Schedules relate to audit, fiscal, correspondence or other administrative office procedures.

Agency Specific Schedules

Agency Record Schedules are those created because of unique programs or activities within your agency. They should be reviewed annually and updated as necessary by your Records Officer. Any schedules and amendments must be approved by the Maine State Archives.

Are you familiar with your Agency Schedules? Find them on our website:

[Agency Schedules](#)

Agency Schedules – Process

If you have records you know need to be scheduled, talk to your Records Officer to see if they can write the schedule for you or help you to write a schedule for the records. They would submit an Application for Records Retention Schedule and Inventory Form ([available on our website](#)) with proper justifications for the chosen retention times. Samples of the records would also be included.

Retention and Disposition

Unfortunately, there is no universal guide to determine retention periods and disposition methods. Each record series needs to be examined individually in regard to usage patterns, departmental needs, historic value and legal issues.

Always remember this important principle: Content, not format, determines retention.



Determining Retention Periods

4 Part Criteria

1. **Administrative use:** Records with administrative value are the ones that help your office do its day-to-day work. Typical retention is 5 years or less.
2. **Fiscal requirements:** These records document fiscal obligations and transactions and are often subject to audit. Typical retention is 6 or 7 years. Some Federal requirements may be 10 years.
3. **Legal requirements:** Records containing evidence of legally enforceable rights or obligations which can be subject to official actions such as investigations or lawsuits. Retentions are sometimes found in law or rule, unfortunately not often in Maine law.
4. **Historical or research purposes:** Historical or archival records document significant events, actions, and decisions. Typically these would be unique records not found elsewhere and valuable for the government or its citizens for hundreds of years to come.

Record Disposition

Retention records (non-permanent) value is based on the business functions of the agency, including audit or other statutory requirements, including any reasonable access by interested parties.

Archival records (or what is sometimes referred to as Permanent) have a secondary value (beyond agency needs) for research or other long-term public value. Before you make this determination, consider this: Hundreds of years from now, will someone want or need to look at these records? Will they be needed that far in the future for any pragmatic research purposes?

Things To Consider



- Avoid the “Just in Case” or CYA syndrome.
- Information should be retained if there is a *reasonable* probability it will be needed at some future time to support legal or business objectives, and the consequences of its absence would be substantial. (In other words, you want to know why you are hanging on to those records in your closet. There needs to be some kind of justification.)
- Remember, the presence or absence of information can be either helpful or harmful.
- A retention period is most likely to be valid if it is based on a consensus of the opinions of persons most knowledgeable about the value of the information. (Make sure you’re getting the right information from the right people who can also support their opinions with fact.)

Where Records Are Located

Non-Permanent material is located at the Maine State Records Center in Hallowell. This material has a destroy retention and agencies will be notified when the material is eligible for destruction. Only the agency (authorized agency cardholders) have access to this material.

Pre-Archival records are stored by Maine State Archives (MSA) but may be requested and distributed until the retention has been met (again, only authorized cardholders have access). Once retention has been met the material belongs to MSA and is open to public inspection.

Direct Transfer Archival material is located at the Maine State Archives in the Cultural Building. The retention of this material is regarded archival upon receipt from the agency. Direct transfer material becomes the property of MSA (open to public inspection).

Where to Go For Help



- **Agency Records Officers**
- **Record Schedules**
- **Agency Policy**
- **MSA, Records Management**
- **Other Sources**

Agency Records Officer

The Agency Records Officer should have a thorough knowledge of agency functions, the records created to fulfill those functions and the schedules which define the retention and disposition of the records. A list of all appointed Records Officers can be found on our [website](#).

Records Schedules

Department Series Report

29: Secretary of State

Description	Media	Last Updated	In Agency Retention	Rec Center Retention	Disposition	Status
Schedule #: 1762 106#:Maine State Library Digitized Maps Digitized map collection from the holdings of the Maine State Library. These are invaluable Maine related historical maps which include information on the history and geography of Maine of archival interest to historians and citizens of Maine.	Digital File	5/4/2010	0	0	Archives	Current
Schedule #: 1989 69#:Maine State Archives Training Materials Materials created for the purpose of trainings, tours and conferences. [Materials kept in electronic and paper format. Media format mixed.]	Mixed	1/26/2016	Years 3	No Retention	0 Destroy	Current
Schedule #: 1993 70#:Maine State Archives General Policy/Procedure Manuals Internal policies and procedures covering routine, day-to-day operations of the Maine State Archives. Includes Disaster Preparedness and Recovery Plans. Retain until superseded then destroy.	Mixed	4/4/2016	Contingent Upon Event - See Description	0 No Retention	0 Destroy	Current
Schedule #: 1999 71#:Odiome Grants - Applications Denied These records are used in managing the applications for the Odiome Grants. The grants were established from a bequest from the late Elizabeth D. Odiome of Brunswick. Applications are submitted to the Maine State Archives for review and approval. Denied applications are kept on file for 6 months.	Paper	4/4/2016	Months 6	No Retention	0 Destroy	Current
Schedule #: 1999 72#:Odiome Grants - Applications Approved These records are used in managing the applications for the Odiome Grants. The grants were established from a bequest from the late Elizabeth D. Odiome of Brunswick. The Maine State Archives established a grant program to support archaeological work within Maine that has a relationship to archival material in accordance to the terms in the bequest. Grants are for one year and require that a final report be submitted at the end of the project no later than three months after the close of the grant period. Approved applications are kept on file until the final report is submitted.	Paper	4/4/2016	Contingent Upon Event - See Description	0 No Retention	0 Destroy	Current
Schedule #: 1999 73#:Odiome Grants - Final Report						

Wednesday, October 19, 2016

Page 3 of 18

If you have a question regarding retention and disposition of records you should first check both the [General Schedules](#) and [Agency Schedules](#) to confirm how long you need to keep certain records.

Remember the total retention time may include time stored at your agency and any time at the Records Center.

Agency Policy

Does your agency have a Records Management Policy?

A policy will guarantee all employees are following the same records management procedures including:

- Where records are kept
- What type of documents are included in the record files
- How draft documents, working papers, and copies are handled
- How records are maintained for access
- Who is responsible for maintaining the record copy or who is considered the records custodian



Maine State Archives Records Management

Our staff can assist with training, schedule or transfer questions or other record related questions.

- Records Management (schedule and retention):
recordsmanagement.archives@maine.gov
- Records Center/transfer of records:
recordscenter.archives@maine.gov
- Archives (archival records): maine.archives@maine.gov

Also, go to our website for schedule and records officer listings, training and resource information and records management forms.

[\(www.maine.gov/sos/arc/records/state/\)](http://www.maine.gov/sos/arc/records/state/)

Other Sources

Below are some other sources of information when looking for guidance on the management of records:

- **Federal Laws or State Statutes** – It's a good idea to have a general knowledge of any laws related to agency records (how records must be kept, how records can be accessed, etc.).
- **Agency Chapter Rules** – You should also be familiar with the Rules which govern the agency. Chapter Rules can be found on the [CEC website](#).
- **Agency FOAA Representative** – They can assist you with Freedom of Access questions related to your records. All contacts are listed on the [FOAA website](#).
- **Your agency AAG** – Your agency's assigned Assistant Attorney General (or Agency Legal Counsel) can assist you with legal questions.



Email Management

Email Management

When you ask: *How long do I keep my email?*



Remember...email is a format, not a record.

Retention is determined by the **content** of the email.

Records are unique and email is subject to the same retention requirements as paper correspondence.

Why Bother to Manage Email?



Because these are potential records and just like records in paper format, they must be managed so they can be retained, accessed and destroyed at the appropriate times.

Email Schedules

Email is typically considered general correspondence. In the General Records Schedules, most general correspondence, and therefore most email, has a retention period of 2 years or less.

General Schedule #13: State Agency
Correspondence



General Schedule #13

Series 1 – Commissioner/Executive Correspondence

Retention: 2 Years **Disposition:** Archival

Series 2 – Program Correspondence

Retention: Variable **Disposition:** Variable

Series 3 – General Correspondence

Retention: 2 Years **Disposition:** Destroy

Series 4 - Transitory Correspondence

Retention: Retain until no longer needed (or less than 30 days)

Disposition: Destroy

Item 5 – Non-Business Related Correspondence

Retention: Delete/destroy immediately

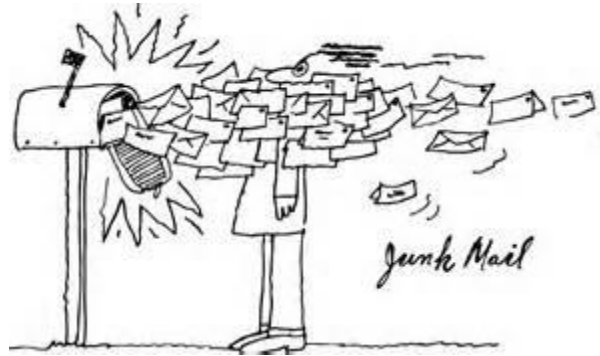
When Are My Emails Records?

If you are conducting government business in that email it is considered a record (communication sent or received in the transaction of government business.)

What About Junk Mail and Spam?

Junk mail such as advertisements and any personal emails an employee may have in their state email accounts do not need to be preserved, since these are not official state government records.

I hate junk mail so I'm glad it is clear that it is not an official record!



Email Planning - Organizing Folders

It is best to set up folders in your Outlook mailbox that organize email messages according to your retention schedules, with sub-folders set up by year and month.



This will make it easy to delete messages that have fulfilled their retention periods, without having to look at individual messages again.

Email Planning - Storage/Archives

According to OIT:

With Office 365, there is an archiving policy set by default which sweeps any emails over 2 years old (24 months, to the day) out of your active mailbox over to your “online archive.”

For further information see [User Instructions for Archiving Outlook Email](#)

Things to Consider



- Think about what types of email you send and receive.
- Non-retention material such as spam or personal messages should be deleted immediately.
- Transitory records can be deleted when no longer needed and should be kept no longer than 30 days.
- If emails are CC's or Forwards where no action is taken or required they typically can be deleted.
- If you are the official custodian of any email records YOU are the person responsible for retaining them until they have served their retention.

Email Tips

- **Don't use personal email for professional business** - Your personal email account could become subject to FOAA.
- **Don't delete or save emails indiscriminately** - Remember, email is a format, it is the content of the email that must be evaluated and retained accordingly.
- **Limit the use of "Reply All"** - Consider this...if this was in paper format and not email, would so many responses, replies, forwards, CC's, etc. be generated on a daily basis? Because email is so convenient, we tend to overuse and misuse its intended purpose in state government.
- **Fill in/use meaningful subject lines** - This will help sort, organize, index and search for emails.
- **Plan daily email times** - Use 10-15 minutes first thing in the morning or at the end of the day to devote to email management.
- **Consider an agency-wide electronic records time** - Get upper management's involvement to plan for a department-wide electronic records time where all employees devote one day per month/once every 2 or 3 months or whatever time is allowable to Records Management with a focus on email.
- **Separate transitory email** - Obviously these should be deleted as soon as possible. When transitory email is kept for reference purposes, it should be separated and labeled as such into folders so it is clear these are for reference purposes only and can be purged when no longer needed.
- **Cc: yourself** - To help manage sent email, Cc: yourself on messages which have to be retained and manage them with other incoming email. Your sent email folder will then contain only duplicates and messages of transitory value, and can be purged regularly.



When records are kept in more than one format, you should identify an **official “record copy”** to which you will apply the full retention period. When the record copy is electronic, it’s important to identify the storage location (directory and subdirectory) so that all changes are made there and that records are purged once they have met their retention.

Records Retention and FOAA

The destruction of records should occur as a routine business process in accordance with the retention schedule. Don't get stuck having to produce records for a FOAA request that otherwise should have been destroyed or even worse, decide to destroy records in close proximity to some legal proceeding, making it look as though the agency is destroying evidence. Routine, scheduled destruction of records – both paper and electronic - helps prevent this problem.

If you do become aware of a lawsuit or other type of discovery, any relevant records cannot be destroyed until it is determined that the matter is resolved or the legal hold is lifted.

Organizing and managing records (including electronic records) limits your liability for deleting records you shouldn't, and gives you authority to delete files you should delete. Remember, if it exists (in any format) and someone asks to see it, the agency must produce it (provided there are no confidentiality restrictions).

For more information on Freedom of Access Act go to the FOAA website:

www.maine.gov/foaa/

Questions to Consider

- What email records are you retaining and why?
- Do you have folders set up for retentions?
- What electronic files do you have?
- Are you considered the custodian?
- Are both paper and electronic versions being retained?



When You Leave

When an employee leaves a position, computer files, including email, may NOT be automatically deleted! Those records on your computer are public records and can't be indiscriminately deleted.

On the other hand, email and electronic files must be managed so your agency isn't left with hundreds of non-records or transitory files to sift through upon your departure.

For more information go to the [OIT website](#). Included on the site is the [Checklist for Departing Employees](#).

How Long to Keep Files/Documents

Checklist

- ✓ Determine if these are actual records
- ✓ Determine if you are the official record keeper
- ✓ Determine if records are kept in more than one format and what the official record format is
- ✓ Are these records on the State General Schedules
- ✓ Are these records on the Agency Schedules
- ✓ If not on a schedule, do you know who your Records Officer is
- ✓ Can you look at the 4-part criteria and make a retention recommendation to your RO

Key Items Every Employee Needs to Know



Item 1 – YOU are responsible for managing public records!



Item 2 - Records must be managed throughout their life cycle, according to their retention schedules



Item 3 - All agency records must be on up-to-date retention schedules (Do you know yours?)



Item 4 - All agencies must have a Record Management program and policy standards (Does your agency? Ask your Records Officer or Director. You need to understand them.)



Item 5 - All agencies must have an active Records Officer (Do you know who your RO is? They are listed on our website.)



Item 6 - There are General Schedules and Agency Specific Schedules (Make sure you look on our website and become familiar with the schedules.)

Final Words

Thank you for taking this Records Management Training. As a state employee, your involvement in Records Management is a daily responsibility and vital component for all of us working together towards an agency-wide comprehensive Records Management system.

We covered basic information but you will need to review the latest versions of the General and Agency Schedules to know your specific responsibilities concerning records retention. [Contact our staff](#) or [visit our website](#) for further information.



Get Credit

To receive acknowledgement for this Records Management Training:

Click on the Get Credit button below, answering the review questions and filling out your name and other requested contact information. Submit this form to verify that you have read and understand the content of this training. The form will go to the Records Management Department at the Maine State Archives and they will record your training completion.

THANK YOU!

[Get Credit](#)

[Feedback](#)